

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NEREUS SUTKO,

Defendant.

8:19-CR-174

PRELIMINARY ORDER OF  
FORFEITURE

This matter is before the Court on the plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 44](#)). The information in this case ([filing 34](#)) charged the defendant with health care fraud in violation of [18 U.S.C. § 1347](#). The information contained a forfeiture allegation seeking the forfeiture, pursuant to [18 U.S.C. § 982\(a\)\(7\)](#) and [21 U.S.C. § 853](#), of a grey 2014 Chevrolet Corvette Stingray Z51 3L, VIN 1G1YL2D76E5106856, purchased on or about April 8, 2019, and a money judgment for proceeds traceable to the offense. [Filing 34](#). The defendant has pled guilty to the information and admitted the forfeiture allegation. [Filing 41](#); [filing 45](#). The defendant also agreed that a 2006 white/blue Regal 2200 boat, VIN RGMDM131H506, could be seized and forfeited as substitute property offsetting the money judgment. [Filing 41 at 4](#).

By virtue of pleading guilty to the charge and admitting the forfeiture allegation, the defendant has forfeited his interest in the grey 2014 Chevrolet Corvette Stingray, and the plaintiff should be entitled to possession of the grey 2014 Chevrolet Corvette Stingray pursuant to [18 U.S.C. § 982\(a\)\(7\)](#) and [21 U.S.C. § 853](#). By virtue of the plea agreement, the plaintiff is also entitled to possession of the Regal 2200 boat pursuant to [21 U.S.C. § 853](#). Therefore, the plaintiff's motion for preliminary order of forfeiture will be granted.

IT IS ORDERED:

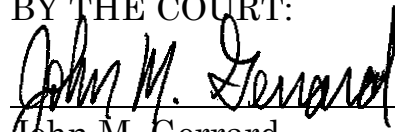
1. The plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 44](#)) is granted.
2. Based upon the defendant's guilty plea, admission of the forfeiture allegation of the information, and the plea agreement, the plaintiff is authorized to seize:
  - a. A grey 2014 Chevrolet Corvette Stingray Z51 3L, VIN 1GIYL2D76E5106856, purchased on or about April 8, 2019; and
  - b. A 2006 white/blue Regal 2200 boat, VIN RGMDM131H506.
3. The defendant's interest in the grey 2014 Chevrolet Corvette Stingray is forfeited to the plaintiff for disposition in accordance with law, subject to the provisions of [18 U.S.C. § 982\(a\)\(7\)](#) and [21 U.S.C. § 853](#).
4. The property is to be held by the plaintiff in its secure custody and control.
5. Pursuant to Supp. Admiralty and Maritime Claims R. G(4)(a)(iii)(B), the plaintiff shall publish for at least thirty consecutive days on an official Internet government forfeiture site ([www.forfeiture.gov](http://www.forfeiture.gov)) notice of this order, notice of publication evidencing the plaintiff's intent to dispose of the grey 2014 Chevrolet Corvette Stingray in such manner as the Attorney

General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in the grey 2014 Chevrolet Corvette Stingray must file a petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

6. Such published notice shall state that the petition referred to in paragraph 5, above, shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and relief sought.
7. The plaintiff may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to [18 U.S.C. § 982\(a\)\(7\)](#) and [21 U.S.C. § 853](#), in which all interests will be addressed.

Dated this 27th day of December, 2019.

BY THE COURT:

  
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John M. Gerrard  
Chief United States District Judge